

# United States District Court

WESTERN DISTRICT OF WASHINGTON

LON MARTIN aka LON MILLER

JUDGMENT IN A CIVIL CASE

v.

KENNETH QUINN

CASE NUMBER: C08-5344RJB/KLS

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

The Report and Recommendation (Dkt. 81) is **ADOPTED**, except, in part, as to the recommendation regarding the Certificate of Appealability.

Petitioner's Motion for Evidentiary Hearing and to Expand the Record (Dkt. 69) is **DENIED**;

Petitioner's Motion for Leave to Conduct Discovery (Dkt. 79) is **DISMISSED**;

Petitioner's Amended Petition for Writ of Habeas Corpus (Dkt. 34) is **DISMISSED**; and

Petitioner's Motion for a Certificate of Appealability is **GRANTED** as to claims one through five, and **DENIED** as to claims six and seven.

October 14, 2010  
Date

BRUCE RIFKIN  
Clerk

s/CM Gonzalez  
Deputy Clerk